

On page 15, line 18, replace --car-- with "card."

On page 16, lines 10 and 12, replace --car-- with "card."

On page 16, line 25, replace --42-- with "44."

On page 17, line 15, replace --car-- with "card."

### **IN THE CLAIMS**

Kindly amend the claims as outlined in the attached Complete Listing of Claims.

Please cancel claims 7, 9 and 14 without prejudice or disclaimer of the subject matter contained therein.

### **REMARKS**

The Office Action mailed November 23, 2004 has been carefully considered. Claims 1, 8, 10, 12 and 13 have been amended, and claims 7, 9 and 14 have been cancelled without prejudice or disclaimer of the subject matter contained therein. The application now contains Claims 1-6, 8, 10-13 and 15. As the number of independent claims and the total number of claims has not increased, no new fees are required for the new claims. However, inasmuch as this Amendment is being filed with a Request for a one month extension, the fee for such extension is enclosed.

The Examiner has required affirmation of election of Invention 1, drawn to board games classified in class 273, subclass 254, as described in original claims 1-13 and 15. Applicant hereby affirms this election, and has cancelled claim 14, drawn to a puzzle, classified in class 273, subclass 153.

The Examiner also objected to the disclosure because of certain typographical errors. Specifically, there was inconsistency in referring to the “robot card” at various points, and on page 16, lines 9-10, the reference to the non-player movement die should have been identified as “44.” Appropriate corrections have been made to the specification.

The drawings were objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. The drawings were also objected to as failing to comply with 37 CFR 1.84(p)(5) because they did not include certain reference numbers mentioned in the description. Corrections have been made to the drawing, and an appropriately corrected Replacement Sheet is attached hereto, along with a separate drawing sheet highlighting the changes made.

The Examiner rejected claims 12 and 15 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, the Examiner argued that it was unclear whether a “robot car” or “robot cart” was being claimed. The claims have been amended so as to overcome said objection.

The Examiner rejected claims 1, 2, 3, 7, 8 and 13 under 35 U.S.C. §102(b) as being anticipated by Snyder (U.S. Patent No. 3,734,508). Claims 1, 2 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris (U.S. Patent No. 4,498,674); claims 3-6 were

rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris in view of Hayes (U.S. Patent No. 3,649,021) and claims 2-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Snyder in view of Bedford (U.S. Patent App. No. 2003/0085519 A1).

Claims 9-11 were objected to as being dependent upon a rejected base claim, but the Examiner indicated they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner also indicated that claim 12 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph, and to include the limitations of the base claim and any intervening claims. Finally, the Examiner indicated claim 15 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph.

Claim 1 has been amended to include the limitations of claim 9 and the intervening claim 7. Claim 12 has been amended to overcome the §112 rejection, and claim 13 has been amended to include the same limitations as claim 1, amended. Claims 8 and 10 have been amended so as to reflect the cancellation of claims 7 and 9.

Applicant therefore submits that amended claim 1 patentably distinguishes over the references cited by the Examiner taken alone or in combination. Claim 13 has similarly been amended so as to include the same limitations provided in claim 1 (amended) and therefore patentably distinguishes over the references cited by the Examiner. Claim 15 did not require amendment because of amendments to the specification.

Applicant further submits that dependent claims 2-6, 8, and 10-12 patentably distinguish over the references of record for the same reason as claim 1 (amended), and are therefore also in condition for immediate allowance.

In light of the amendments and remarks, applicant respectfully submits that this application is now in condition for allowance, and an early Notice of Allowance is hereby respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. G. Coplit', written over a horizontal line.

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